

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

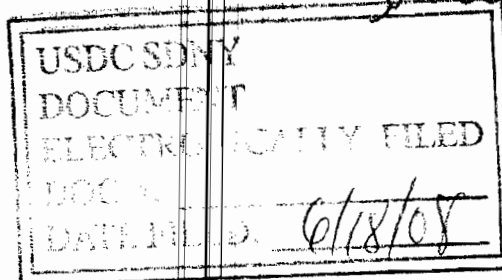
F-O-R-T-U-N-E FRANCHISE  
CORPORATION,

Plaintiff,

- against -

FORTUNE FRANCHISE, INC.,

Defendant.



08 CV 4992 (JES)

**NOTICE OF DISMISSAL  
STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the parties that the action is hereby dismissed pursuant to Fed. R. Civ. P. 41 with prejudice and without costs to any party, and that the Court shall retain jurisdiction to enforce the settlement agreement herein.

Dated: New York, New York  
*June 16*, 2008

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6/17/08 SO ORDERED:  
*Mark L. Sprizzo*  
U.S.D.J.  
*for Judge Sprizzo*